

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

RAYMOND MATHIS, #140252,

Plaintiff,

v.

JASON SMOAK, *et al.*,

Defendants.

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1:08-CV-450-MHT  
[WO]

**OPINION**

This litigation is now before the court on the recommendation of the United States Magistrate Judge entered on November 3, 2009 (Doc. 18), that this case should be dismissed without prejudice due to plaintiff's abandonment of his claims, failure to comply with the orders of this court, and to prosecute properly this cause of action. After a review of the recommendation, to which plaintiff did not object, and after an independent and de novo review of the entire record, the court believes that the recommendation should be adopted. An appropriate judgment will be entered.

Done this 23rd day of November, 2009.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE